



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION  
LOS ANGELES, CALIFORNIA 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

April 8, 2008

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: BIG TUJUNGA DAM AND RESERVOIR  
BIG TUJUNGA CANYON  
MITIGATION LAND BANK SITE  
PARCEL 96EX - EXCHANGE OF PROPERTY TO SETTLE LAWSUIT BROUGHT BY  
THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT  
CITY OF LOS ANGELES  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY  
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find this transaction categorically exempt from the provisions of the California Environmental Quality Act.
2. Find the fee interest in Big Tujunga Dam and Reservoir-Big Tujunga Canyon Mitigation Land Bank Site, Parcel 96EX, to no longer be required for the purpose of the Los Angeles County Flood Control District.
3. Authorize the exchange of Parcel 96EX for real property, owned in fee by Dale Gibson and Heather Gibson, of like size and value to settle a lawsuit brought by the Los Angeles County Flood Control District against the Gibsons.
4. Instruct the Chair of your Board to sign the Quitclaim Deed and authorize its delivery to the grantees.

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to allow the Los Angeles County Flood Control District (LACFCD) to exchange Parcel 96EX for real property, owned in fee by the Gibsons to settle a lawsuit brought by the LACFCD against the Gibsons.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs that we provide Fiscal Responsibility (Goal 4), as this transaction will enable the LACFCD's property to be utilized for its intended flood control and conservation purposes.

### **FISCAL IMPACT**

There will be no impact to the County General Fund.

There will be no monetary consideration for this transaction. The Gibsons are providing fee title to a parcel of land that is of like size and value in exchange for this sale.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The parcel is located along Wentworth Street, west of the 210 Freeway in the Sunland Tujunga area of the City of Los Angeles.

On March 7, 2006, your Board authorized County Counsel to file a court case against the Gibsons due to their use and occupancy of Parcel 96EX without the LACFCD's authorization. The LACFCD filed an action against the Gibsons in Los Angeles Superior Court, Case No. BC 354528.

Parcel 96EX represents a 3,944±-square-foot portion of the LACFCD's purchase of 207 acres along the Big Tujunga Dam and Reservoir-Big Tujunga Canyon Mitigation Land Bank Site in the Sunland area of the City of Los Angeles. The property was purchased to enable the LACFCD to obtain mitigation credits from several regulatory agencies to offset impacts from flood control projects within the LACFCD boundaries.

In 2001, the LACFCD discovered the Gibsons had encroached upon the LACFCD's property rendering it unsuitable for mitigation credit. The exchange will resolve this problem by making available, for mitigation credit, land that will be restored to pre-existing natural conditions.

The LACFCD and the Gibsons have agreed to exchange like-sized and like-valued parcels of land to resolve the lawsuit. The Gibsons have executed a Grant Deed in favor of the LACFCD. The Grant Deed is being held by the LACFCD pending approval of this transaction.

The proposed exchange is authorized by Section 2, Paragraph 13 of the Los Angeles County Flood Control Act. This section provides as follows: "Said Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and as such shall have power.. 13. To lease, sell, or dispose of any property (or any interest therein) whenever in the judgment of said board of supervisors said property, or any interest therein or part thereof, is no longer required for the purposes of said District..."

The Quitclaim Deed and the Grant Deed have been reviewed and approved by County Counsel. The Quitclaim Deed and Grant Deed will be recorded.

#### **ENVIRONMENTAL DOCUMENTATION**

This transaction is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). This transaction is within the class of projects which have been determined to not have a significant effect on the environment in that it consists of transfers of ownership in interests in land in order to restore open space, and pre-existing natural conditions, including plant and animal habitat, and therefore meets the criteria specified in Section 15325 of the State CEQA Guidelines and Class 25 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will enable the LACFCD's right of way to qualify for mitigation credit to offset impact from flood control projects within the LACFCD's boundaries.

The Honorable Board of Supervisors  
April 8, 2008  
Page 4

**CONCLUSION**

Please return an adopted copy of this letter and the executed original Quitclaim Deed to the Department of Public Works, Mapping & Property Management Division.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:DDE  
PAP:mr

Attachment

c: Auditor-Controller (Accounting Division - Asset Management)  
County Counsel  
Department of Public Works (Water Resources)

**DUPLICATE**

RECORDING REQUESTED BY  
AND MAIL TO:

Mr. and Mrs. Dale Gibson  
9655 Wentworth Street  
Sunland, CA 91040-1628

Space Above This Line Reserved for Recorder's Use

Assessor's Identification Number:  
2549-004-909 (Portion)

EXEMPT: COURT ORDERED CONVEYANCE NOT PURSUANT TO SALE  
Documentary Transfer Tax is \$ 0

( ) computed on full value of property conveyed, or  
( ) computed on full value less value of liens and  
encumbrances remaining at time of sale

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

By *Donald K. Watts*  
Donald K. Watts, Deputy County Clerk

## QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, does hereby remise, release, and forever quitclaim to DALE GIBSON and HEATHER GIBSON, husband and wife, as joint tenants, all its right, title, and interest in and to the real property in the City of Los Angeles, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

EXCEPTING therefrom all oil, gas, petroleum, and other hydrocarbon substances and minerals but without right of entry to the surface of said land.

Dated APR 08 2008



LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,  
a body corporate and politic

By *Gloria B. Bente*  
Chair, Board of Supervisors of the  
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:

SACHI A. HAMAI, Executive Officer  
of the Board of Supervisor of the  
County of Los Angeles

By *[Signature]*  
Deputy

BIG TUJUNGA DAM AND RESERVOIR  
BIG TUJUNGA CANYON  
(Mitigation Land Bank Site)  
Parcel 96EX  
I.M. 204-177  
S.D. 5  
Project I.D. MPM0142001

H0300512

KR:bw/ P:CONF/KR-BIGTUNJUNGA96EX 21208

NOTE: Acknowledgment form on reverse side.

35 of APR 8 2008

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring the Chair's signature.

The undersigned hereby certifies that on this 8 day of APRIL, 2008, the facsimile signature of YVONNE B. BURKE, Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.



SACHI A. HAMAI, Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

By [Signature]  
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM

RAYMOND G. FORTNER, JR.  
County Counsel

By [Signature]  
Deputy



APPROVED as to title and execution,

\_\_\_\_\_, 20\_\_\_\_.

DEPARTMENT OF PUBLIC WORKS  
Mapping & Property Management Division

Supervising Title Examiner

By \_\_\_\_\_



## EXHIBIT A

### **BIG TUJUNGA DAM AND RESERVOIR BIG TUJUNGA CANYON**

(Mitigation Land Bank Site)

63-RW 9.3

A.P.N. 2549-004-909

T.G. 503 (D2,3)

I.M. 204-177

S.D. 5

H0300512

### **LEGAL DESCRIPTION**

#### **PARCEL NO. 96EX** (Quitclaim of portion of fee):

That portion of that certain parcel of land in Lot 23, Tract No. 999, as shown on map recorded in Book 16, pages 166 and 167, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described as PARCEL 3 in deed to Los Angeles County Flood Control District, recorded on November 10, 1998, as Document No. 98-2056335, within a strip of land 15.15 feet wide, the southerly sideline of said strip being described as follows:

Beginning at a point in the southerly line of said PARCEL 3, said point being distant 75.60 feet easterly, measured along said southerly line, from the westerly terminus thereof; thence easterly, along said southerly line, a distance of 259.27 feet to the easterly terminus of said southerly line.

The northerly sideline of the above-described 15.15-foot wide strip of land shall be prolonged or shortened at the easterly terminus so as to terminate in the easterly line of said lot.

Containing 3944± square feet.

